

# MINUTES

## City of Carrollton Mayor and Council Meeting

June 4, 2007  
6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia

### I. CALL TO ORDER

The Mayor and City Council met in regular session on June 4, 2007 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Wayne Garner called the meeting to order at 6:00 p.m. Members present: Councilmember Peter Balega, Councilmember Gerald Byrd, and Councilmember Rusty Gray. Councilmember Mandy Maierhofer absent. (Councilmember Maierhofer arrived after the fourth item on the agenda was addressed.)

### II. INVOCATION

Councilmember Byrd offered the invocation.

### III. CITIZEN COMMENTS

Ms. Anne Boykin, 149 College Street requested assistance with traffic and parking in her neighborhood on the weekends. City Manager Coleman directed Police Chief Joel Richards to look into the matter.

### IV. MINUTES (April 30, 2007)

The minutes of the April 30, 2007 Meeting were inadvertently not presented for approval and will be considered at the next meeting.

### V. ITEMS OF DISCUSSION

#### 1. Rezoning Request: R-3 to R-3 Planned Unit Development Property Location: Beulah Church Road and Skinner Road Petitioner: Todd Kennedy

Planning and Zoning Administrator Erica Studdard presented for consideration a request from petitioner Todd Kennedy for property located on Beulah Church Road and Skinner Road to be rezoned from R-3 to R-3 Planned Unit Development. PZA Studdard noted that the Planning Commission had recommended approval of the request with the following conditions:

1. The minimum allowable horizontal radii for the proposed roadways shall be 100 feet.
2. The minimum tangent between radii shall be 50 feet.
3. The alleyway stubs located near Beulah Church Road and Skinner Road shall have appropriate vehicular turn around or tie into the proposed streets.
4. Additional right of way shall be dedicated along Skinner Road to equal  $\frac{1}{2}$  of the required right of way (50 feet) from the centerline of the road.

Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: Mr. Rhett Harmon of Duffey Realty introduced himself and spoke on behalf of the petitioner. Mr. Harmon stated that the petitioner was seeking to rezone the property to R-3 PUD (Planned Unit Development) in order to develop a 57-lot single family residential development with cottage type homes. Mr. Harmon shared plan renderings of the proposed project. Councilmember Byrd expressed his approval of the project.

Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Byrd, seconded by Councilmember Gray to accept the Planning Commission's recommendation and rezone the property located on Beulah Church Road and Skinner Road to R-3 Planned Unit Development with the following conditions: 1. The minimum allowable horizontal radii for the proposed roadways shall be 100 feet. 2. The minimum tangent between radii shall be 50 feet. 3. The alleyway stubs located near Beulah Church Road and Skinner Road shall have appropriate vehicular turn around or tie into the proposed streets. 4. Additional right of way shall be dedicated along Skinner Road to equal  $\frac{1}{2}$  of the required right of way (50 feet) from the centerline of the road. Motion passed, (4-0 Councilmember Maierhofer absent).**

#### 2. Annexation/Rezoning Request: From County to City with M-2 (Heavy Industry) Zoning Property Location: 2574 Highway 27 North Petitioner: Tom Parmer for ALMC, LLC

PZA Studdard presented for consideration a request from petitioner Tom Parmer for property located at 2574 Highway 27 North to be annexed and zoned M-2 (Heavy Industry). PZA Studdard noted that the petitioner

proposed to create a small industrial park for small businesses and the Planning Commission had recommended approval of the request. Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: Mr. Tom Parmer for ALMC, LLC reviewed the preliminary plans for the small industrial park and noted that the property was adjacent to other City zoned industrial properties. Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Byrd, seconded by Councilmember Balega to accept the Planning Commission's recommendation and annex and designate the property located at 2574 Highway 27 North to M-2 (Heavy Industry). Motion passed, (4-0 Councilmember Maierhofer absent).**

**3. Annexation/Rezoning Request: From County to City with R-1 (Low Density Residential) Zoning  
Property Location: 988, 990, 992, and 994 Horsley Mill Road  
Petitioner: Joe Robinson**

PZA Studdard presented for consideration a request from petitioner Joe Robinson for property located at 988, 990, 992, and 994 Horsley Mill Road to be annexed and zoned R-1 (Low Density Residential). PZA Studdard noted that the Planning Commission had recommended approval of the request. Mayor Garner opened the public hearing to receive citizen comments on the matter. Those speaking in favor: Petitioner Joe Robinson explained the property would be more valuable to potential buyers if located inside the City limits of Carrollton. Those speaking opposed: None. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Gray seconded by Councilmember Byrd to accept the Planning Commission's recommendation and annex and designate the property located at 988, 990, 992, and 994 Horsley Mill Road to R-1 (Low Density Residential). Motion passed, (4-0 Councilmember Maierhofer absent).**

**4. Resolution 06-2007: Carrollton City School Tax Levy**

City Manager Coleman presented Resolution 06-2007 for consideration at the request of the Board of Education of the Carrollton Independent School System. The Resolution provides for the levy and collection of an annual tax to provide funds for the payment of the principal and interest amounts on \$18,000,000 of General Obligation Bonds that the Carrollton School Board intends to issue for advanced funding of projects approved in the 2007 ESPLOST. City Attorney Chuck Conerly explained the history of the proposed Resolution, noting that in March of 2007 the Carrollton voters approved an education local option sales tax (ESPLOST). CA Conerly stated that it was common practice for governments and school systems to issue bonds to be repaid by anticipated sales tax proceeds. This allows for the use of the funds up front for eligible ESPLOST projects. CA Conerly reported that the Carrollton School System has authority under state law to set its own millage rate, but does not have the authority to levy and collect those tax proceeds. CA Conerly stated that initially there were some concerns with the verbiage of the Resolution which could be misconstrued to possibly obligate the City of Carrollton beyond its legal abilities. CA Conerly noted that the Resolution had been re-drafted to protect the interest of the City and meet the needs of the Carrollton Independent School System. CA Conerly noted that Resolution 06-2007 pledges the City of Carrollton Mayor and Council to use their taxing authority to levy and collect the ESPLOST proceeds on behalf of the Carrollton Independent School System. CA Conerly pointed out that the Resolution states that the City of Carrollton is not obligated to raise the City millage rate, use City General Funds, nor SPLOST proceeds to pay off the Carrollton School System bonds. Mayor Garner inquired to the desire of the Council on the matter. **Motion by Councilmember Byrd, seconded by Councilmember Balega to adopt Resolution 06-2007 Carrollton City School Tax Levy. Motion passed, (4-0 Councilmember Maierhofer absent).**

**At this time Councilmember Mandy Maierhofer arrived at the meeting.**

**5. Public Hearing: 2007-2008 Fiscal Year Budgets**

CM Coleman reviewed the proposed FY 2007-2008 Budgets in detail as follows:

The proposed FY2007-2008 General Fund Operating Budget of \$17,632,845 represents an overall increase of \$2,220,214 or 14% over the FY 2006-2007 Budget of \$15,412,631. A major portion of this increase (\$1,237,099) is due to the implementation of the unified budget/ accounting proposal, which will merge all Recreation Department accounting functions with the City's accounting functions effective July 1, 2007. This consolidation will allow for increased efficiency and effectiveness for the City's overall budget and accounting functions, and place the City in full compliance with the State of Georgia Local Government Uniform Chart of Accounts and Reporting Act (HB491). The net increase to the General Fund Budget after consideration of this accounting change is \$983,115 or 6%. The proposed \$3,420,000 Sanitation Enterprise Fund Budget represents a 7% decrease from the current year budget of \$3,695,590. No rate increases are proposed due to conservative budgeting, customer base growth, and no capital purchases proposed for FY 2008. The Hotel-Motel Special Revenue Fund supports the economic development/tourism efforts of the City such as Carroll County Chamber of Commerce, Carroll Tomorrow, Carrollton Area Convention and Visitors Bureau, and the Facade Grant funding for the downtown area. The FY 2007-2008 Budget for this fund is \$240,000. The proposed FY 2007-2008 Water Fund Budget of \$10,939,000 represents a 14% increase over the current budget of \$9,556,264. Water and sewer rates are proposed to increase by 5%. CM Coleman also noted that

"free units" given to customers may be proposed to be reduced from four (4) units to three (3) units. The Water Fund Budget includes \$1,518,181 to be set aside in the Renewal and Extension Account to fund ongoing initiatives to improve the quality of the City's water and wastewater production and distribution capabilities. At this time, Mayor Garner opened the Public Hearing to receive citizen comments regarding the proposed FY 2007 -2008 Budgets. Those speaking on the matter: Councilmember Balega inquired about the increase in the budget. CM Coleman explained that the increase was due to growth and there would be no cause for a millage increase. Mayor Garner stated he may need additional details regarding the proposed reduction in "free units", citing concern for senior citizens. Being no further comments, Mayor Garner closed the public hearing.

#### **6. Aerial Ladder Truck Bid Award**

CM Coleman presented for consideration bids for the purchase of an Aerial Ladder Truck for the Fire Department. CM Coleman explained that the purchase of a replacement Aerial Ladder Truck is an extremely important piece of equipment to the life safety and property protection of our citizens. The truck that is presently "in service" continues to have serious mechanical problems and is very expensive to repair. Bid requests were sent out in April and were received on May 10, 2007. Sutphen Corporation bid \$913,116.81, Pierce Fire Apparatus bid \$880,109.00 and Seagrave Fire Inc. did not offer a bid. CM Coleman noted that although Sutphen Corporation was not the low bid, it is the recommendation of the Fire Chief and himself that Sutphen be awarded the contract based on the fact that Pierce took major exceptions that did not meet the bid specs. CM Coleman suggested that if approved, the payment could be arranged through a low interest loan, such as the lease pool loans that we utilize with GMA. The delivery time for this apparatus is approximately one year from time of purchase and the payment schedule can be built into the FY09-10 General Fund budget. **Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to authorize the city manager to purchase the aerial ladder truck from Sutphen Corporation in the amount of \$913,116.81 on such terms as the City Manager may negotiate. Motion passed, (5-0).**

#### **7. Board Appointment: (2) Board of Development Appeals**

**Motion by Mayor Garner, seconded by Councilmember Maierhofer to appoint Mett Lane (new term expiring April 1, 2010) to the Board of Development Appeals. Motion passed. (5-0)**

**Motion by Councilmember Byrd, seconded by Councilmember Gray to re-appoint Queentine Vallair (new term expiring April 1, 2010) to the Board of Development Appeals. Motion passed. (5-0)**

#### **8. Board Appointment: (2) Historic Preservation Commission**

**Motion by Councilmember Gray, seconded by Councilmember Maierhofer to re-appoint Allison Tanner (new term expiring May 1, 2010) and re-appoint Chris Threadgill (new term expiring May 1, 2010) to the Historic Preservation Commission. Motion passed, (5-0.)**

#### **9. Board Appointment: (1) Carrollton Visitor's Bureau**

**Motion by Councilmember Gray, seconded by Councilmember Byrd to re-appoint Mr. Doug Hines (new term expiring June 30, 2010) to the Carrollton Area Convention and Visitors Bureau. Motion passed. (5-0)**

### **VI. MAYOR AND COUNCIL ANNOUNCEMENTS**

**Councilmember Maierhofer:** Apologized for her tardiness, and wanted it known that she is in favor of the School Tax Levy Resolution passed earlier in the meeting.

**Councilmember Byrd:** Informed attendees of the Carroll County Community Theatre production of ***A Raisin in the Sun*** for which he is directing. The production will be held at the Carrollton Cultural Arts Center beginning Thursday, June 7.

### **VII. CITY MANAGER ANNOUNCEMENTS**

There were none.

### **VIII. ADJOURN**

There being no further business to address, the meeting adjourned at 6:50 p.m.

The Agenda for Mayor and Council Meetings is available for review in the City Manager's Office, 315 Bradley Street, Carrollton, Georgia and the City's website, [www.carrollton-ga.gov](http://www.carrollton-ga.gov) after 4:00 p.m. on the Friday prior to Council Meeting. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (770) 830-2000 from 8:30 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. A summary of Agenda items acted upon is available within 48 hours of the meeting at the address and website listed above. Minutes to any previous meeting (once adopted) are available upon request at the number listed above.